

**TOWN OF FOREST HEIGHTS
RESOLUTION 12-18**

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE CUSTOMER AGREEMENT BETWEEN THE TOWN OF FOREST HEIGHTS (THE "TOWN") AND GATSO USA, INC. FOR THE AUTOMATED SPEED ENFORCEMENT PROGRAM AND GENERALLY RELATING TO CONTRACTUAL SERVICES FOR SPEED MONITORING SYSTEMS

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Charter, Section 33-90 authorizes the Mayor and Council to pass certain legislation of a non-permanent or administrative nature by formal resolution in lieu of ordinance; and

WHEREAS, the Charter, Section 33-63 authorizes the Mayor and Council to enter into all purchases and contracts on behalf of the Town; and

WHEREAS, on January 9, 2017, Resolution 01-17 was approved authorizing the Mayor to enter into a Customer Agreement with Gatso USA, Inc. for the operation of speed cameras in Town, to replace the previous vendor; and

WHEREAS, the Mayor and Town Council finds that it is in the best interest of the Town to hereby amend the existing contract with the current vendor and enter into an amended service agreement with Gatso USA, Inc.; and

WHEREAS, the amendment memorializes two points: i.) the agreement that Gatso USA shall coordinate directly with the District Court of Maryland for Prince Georges County for contested ticket hearings and arrange for the docketing of those hearings in accordance with the Court's requirements and, b) the agreement that the Town's debt collection agency, MCoA, shall take responsibility for registration flagging with MVA in conjunction with its efforts to deliver a collections program to the Town; and

WHEREAS, the vendor's CEO has confirmed that Gatso USA has already begun docketing contested speed camera ticket court cases based on the request by the Mayor and Police Chief Mitchell during a past meeting and that the vendor's docketing is in full compliance with the Court, as to its specifications and requirements; and

WHEREAS, the parties desire to approve an Amendment No. 1 to the Customer Agreement with Gatso USA, Inc. in accordance with the terms and conditions as set forth therein.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves and authorizes the Mayor to execute on behalf of the Town an Amendment No. 1 to Customer Agreement for Automated Speed Enforcement Program Services by and between The Town of Forest Heights, Maryland and Gatso, USA, Inc. (the "Amended Customer Agreement"), including any terms, conditions or obligations found therein, to be effective on the 21st day of February, 2018, which is attached hereto and incorporated by reference herein as Exhibit 1; and

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BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this 21 day of February 2018.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
MUHAMMAD	<u>Yea</u>
KENNEDY II	<u>Yea</u>
MCLAURIN	<u>Yea</u>
BARNES	<u>Absent</u>
HINES	<u>Yea</u>
SMITH-BARNES	<u>Absent</u>
BROWNSON	<u>Yea</u>

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

By

SIGNATURE ON FILE

Mayor Habeeb-Ullah Muhammad, Mayor

By

SIGNATURE ON FILE

Jonathon Kennedy, II, Council President

[Exhibit 1 – Amendment No. 1 to Customer Agreement For Automated Speed Enforcement
Program Services (signed on 2/18/2018 by Gatso's CEO)]

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 21 day of February 2018 with 5 Aye votes and 0 Nay votes the aforesaid Resolution 12-18 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk